

REMARKS/ARGUMENTS

Favorable reconsideration of this Application in light of the following discussion, is respectfully requested.

Claims 1-10 are pending. In the outstanding Office Action, Claims 1, 4, 7 and 8 are rejected for double patenting over Claim 10 of copending application 10/706,977; and Claims 1-10 were rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent Publication No. 2002/0064439 to Otaguro in view of U.S. Patent No. 6,473,993 to Tokunaga.

With respect to the double patenting rejection, Claim 10 in the co-pending application of 10/706,977 is now cancelled. The independent claims of the present application recite a projection. The claims in the co-pending application have no projection. Withdrawal of the rejection of claims for double patenting is respectfully requested.

With regard to the rejection of the claims under 35 U.S.C. § 103(a) as unpatentable over Otaguro in view of Tokunaga, that rejection is respectfully traversed.

The applied art does not teach or suggest having a projection that provides a predetermined positional relationship between the door and the first opening by contacting with the peripheral portion of the first opening, when the door substantially close the first opening, as recited in the independent claims.

The Office Action acknowledges that Otaguro does not disclose this feature. However, the Office Action asserts that Tokunaga makes up for this deficiency.

Tokunaga teaches providing projections at the sealing surface of the FIMS facing to the wall of the pod in order to provide a gap between sealing surfaces of a load port system so that a flow of air can be maintained. That is, the apparatus of the reference Tokunaga discloses a positional relationship between the pod and the first opening. However, Tokunaga can not provide the predetermined positional relationship between the door and the first opening. The feature of the claimed invention allows for holding the door and the first

opening in the predetermined positional relationship when the door substantially closes the first opening, and further makes it possible to provide the substantial predetermined positional relationships between the pod, the door, and the first opening when the pod is loaded on the load port apparatus. In examples of the present invention, by maintaining a predetermined value gap between the periphery portion of the first opening and the door at a desired value by obtaining the predetermined positional relationship thereof, the air flow flowing through the gap from the inside of the load port apparatus to the outside can be set substantially constant in the repeated operations.

Moreover, it is respectfully submitted that there is no basis in the teachings of either Otaguro or Tokunaga to support their applied combination. For example, in Otaguro, the door usually closely contacts with wall around the peripheral portion of the first opening by the seal area. In the arrangement of the reference having such prerequisite, it is meaningless to make the consideration on the positional relationship between the door and the first opening. That is, Otaguro can not provide a discussion for how to change the positional relationship between the door and the first opening if the door and the first opening are arranged so as to obtain a substantial closed situation, i.e., there is the gap between the peripheral portion of the first opening and the door. Accordingly, it is respectfully submitted that the combination of Otaguro and Tokunaga is the result of hindsight reconstruction in view of the teachings of the present specification, and is improper. Withdrawal of the rejection of the claims under 35 U.S.C § 103(a) is respectfully requested.

Consequently, in view of the present amendment, no further issues are believed to be outstanding in the present application, and the present application is believed to be in condition for formal Allowance.

Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, the Examiner is encouraged to contact Applicants' undersigned representatives at the below listed telephone number.

Respectfully submitted,

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